

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

NORBIEL IZQUIERDO

Plaintiff

VS.

UNITED STATES OF AMERICA

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CIVIL ACTION NO. 2:12-CV-00378

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO GRANT DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

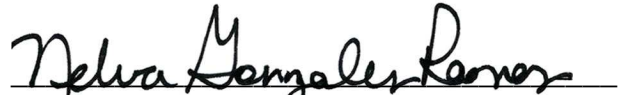
On June 27, 2013, United States Magistrate Judge B. Janice Ellington issued her "Memorandum and Recommendation to Grant Defendant's Motion for Summary Judgment" (D.E. 13). The parties were provided proper notice of, and opportunity to object to, the Magistrate Judge's Memorandum and Recommendation. FED. R. CIV. P. 72(b); 28 U.S.C. § 636(b)(1); General Order No. 2002-13. No objections have been filed.

When no timely objection to a magistrate judge's memorandum and recommendation is filed, the district court need only satisfy itself that there is no clear error on the face of the record and accept the magistrate judge's memorandum and recommendation. *Guillory v. PPG Industries, Inc.*, 434 F.3d 303, 308 (5th Cir. 2005) (citing *Douglass v. United Services Auto Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996)).

Having reviewed the findings of fact and conclusions of law set forth in the Magistrate Judge's Memorandum and Recommendation (D.E. 13), and all other relevant documents in the record, and finding no clear error, the Court **ADOPTS** as its own the findings and conclusions of the Magistrate Judge. Accordingly, the United States of America's Motion for Summary Judgment (D.E. 10) is **GRANTED** and this action is

**DISMISSED WITH PREJUDICE** for failure to state a claim upon which relief can be granted.

ORDERED this 22nd day of July, 2013.

A handwritten signature in black ink, reading "Nelva Gonzales Ramos", written over a horizontal line.

NELVA GONZALES RAMOS  
UNITED STATES DISTRICT JUDGE